

REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 1-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,734,980 (Hooper) in view of U.S. Patent No. 6,625,451 (La Medica, Jr. et al.). As to claim 1 and other claims, it is admitted that Hooper does not teach, among other things, performing a first more preferred SID acquisition sequence and then a second more preferred SID acquisition sequence that includes repeatedly attempting acquisition of the at least one more preferred stored SID element using a same frequency during the second more preferred SID acquisition sequence. However, La Medica has been cited as allegedly teaching this subject matter. In particular, the office action states that La Medica teaches “repeatedly attempting acquisition of the at least one more preferred stored SID element using a same frequency during the second more preferred SID acquisition sequence” (page 4 of office action) referring to column 17, line 65 to column 18, line 15. However, Applicants respectfully submit that the teachings of La Medica and the claim language have been misapprehended. The La Medica reference actually uses different frequencies from the NAM which is different from the PRL and attempts to do a find home operation. It does not repeatedly attempt acquisition of a more preferred stored SID element using a same frequency during the second more preferred SID acquisition sequence.

As stated in La Media:

“In the PRL Preferred mode, the station 3 again scans first for the SID of its home system. If the station detects the home system SID, the station 3 will always select and register with the home system 20. Next, if there is no match to the home system SID stored in the NAM, the station 3 will compare the SIDs of available systems 21 to the stored PRL list. The station will select and register with the best available system using the PRL list. In the PRL Preferred mode, if there is no matching SID after home system processing and PRL list processing, the station scans for

SIDs on the same band as used by its home system 20. If a SID is detected on that band, the station will select and register with the identified system.” (Emphasis added)

As such, La Medica teaches that if a mobile scans all frequencies in the PRL list and cannot find a matching SID that in effect the PRL list is exhausted. The mobile then uses frequencies in the NAM associated with the home system “band” which in this case La Medica teaches refers to bands as “same band (A, B or PCS A-F)”. This means that if the home SID is an A side system then the mobile scans for A side frequencies contained in the NAM. These frequencies are intended to be different from the ones listed in the PRL. This technique is commonly referred to those with ordinary skill in the art as “default to home” scanning.

In contrast, claim 1 clearly states that the second scan is repeated with scans of the same frequency. The La Medica reference teaches neither repetition of scanning nor scanning of the same frequency as claimed. Accordingly, Applicants respectfully submit that the claim is in condition for allowance. Claims 6, 8, 10, 14 and 19 are rejected for the same reasons. As such, these claims are also allowable.

The dependent claims add additional novel and non-obvious subject matter. For example, claim 3 requires that the circuit is operative to perform the second more preferred SID acquisition sequence if the more preferred stored SID element is not acquired during the first more preferred SID acquisition sequence. It is alleged that Hooper teaches this subject matter. However, the cited portion of Hooper, although performing a background scan, does not repeat within that background scan a sequence nor does it use a same frequency during a repeated attempt during a second more preferred SID acquisition sequence. Accordingly, the claim is in condition for allowance.

Stated another way, Hooper refers to two different types of scans. A first scan is a foreground scan which is started when the mobile does not have service and wherein the mobile camps on a lesser preferred system. A second type of scan is a background scan started when the mobile has service and happens when the timer expires. As claimed all the scanning takes place during foreground scanning. Other differences will be recognized by those of ordinary skill in the art.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Dated: November 21, 2007

By: /Christopher J. Reckamp/
Christopher J. Reckamp
Reg. No. 34,414

Vedder, Price, Kaufman & Kammholz, P.C.
222 North LaSalle Street
Chicago, Illinois 60601
PHONE: (312) 609-7599
FAX: (312) 609-5005